



Regional Airline Association
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January 16, 2001

U.S. Department of Transportation Dockets
Docket No. FAA-2000-7909
400 Seventh St. SW., Room Plaza 401
Washington, DC 20590

SUBJECT: Proposed Rule: Flammability Standards for Insulation Materials Used in Transport Category Airplanes

Gentlemen/Madam:

The Regional Airline Association (RAA) submits the following comments on the subject proposal on behalf of our membership (attachment A). RAA encouraged its members to submit comments directly to the docket. Our comments should be considered as supplemental to any comments individually submitted to the docket by RAA members.

1. RAA requests that the retrofit requirements of this proposal [i.e. 91.613 (b)(1), 121.312(e)(1)] be withdrawn.

The Benefits Analysis of this proposal is based upon the premise that "*preventing the loss of one airplane and its passengers over the 20-year period is not unlikely. Assuming such a loss would occur at the midpoint of the analysis, or in 2009, with 169 passengers, the nondiscounted loss would be \$455.5 million, or \$231.5 million discounted to present value*". The "average" seating capacity for the regional fleet (Transport Category airplanes only) in 1999 was approximately 38 seats so if we assume the loss of 169 passengers, we are led to the premise that the loss of all lives from at least four regional airplane accidents could be avoided by adoption of the proposed rule. RAA is not aware of any accident or incident in regional fleet operations that would lead us to believe that the regional operators will derive even the slightest of benefits suggested by this proposal. For this reason we believe that the retrofit requirements of this proposal is not justified for all Part 121 operations. Instead we suggest that if there are benefits to be derived by a retrofit rule, it can be provided by adoption of Airworthiness Directives for particular fleet types of concern. RAA understands that this has already occurred.

2. If our request to withdraw the retrofit requirements is denied, then RAA requests that the proposed retrofit compliance period be extended to three years and a provision be provided that allows for temporary noncompliance until certified thermal/acoustic materials are available.

RAA is concerned the proposed compliance dates for replacement retrofit will pose problems for many of our members with smaller fleet types since the blanket manufacturers will more than likely focus their resources on meeting the needs of the larger operators that have much larger fleet sizes. While we have not contacted such manufacturers regarding our concerns, we have



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seen numerous other instances particularly for AD retrofit programs, where buyers of small quantities are relegated to delivery schedules that go beyond the compliance dates. Fortunately for AD rulemaking an alternate means of compliance provision (AMOC) is provided that allows individual operator some options to respond to their dilemma who for reasons beyond their control, cannot meet a compliance schedule.

However the exemption process for Part 121 rulemaking is not so accommodating. A normal request for exemption needs to be submitted 120 days in advance of when the relief is needed. A provision is available that allows for a waiver of the 120 day rule but realistically we have found that at least several weeks advance notice is required to obtain an "emergency" exemption. Several legal (as opposed to technical) hurdles must be addressed before emergency exemptions are granted.

We could assume that the manufactures will in fact meet the needs of our members who operate fleet types that collectively number less than 100 in the U.S. (e.g. ATR 42, ATR72, Bae-146, Dornier 328, Jetstream 4101, etc.) within the proposed 2 years before the replacement compliance period becomes effective. But then we must conclude that each of our affected members will have a shipset of blankets readily available at various locations so that they can readily replace the damaged blankets that need replacement. This senario is highly unrealistic since it is extremely difficult for operators to anticipate their future needs of replacing damaged blankets.

If our request to withdraw the retrofit requirements is denied, RAA requests not only an extension in the proposed compliance period but the inclusion of a regulatory provision that will accommodate all of the variations that will inevitably come up when replacement blankets must be installed. The cost benefit analysis makes no mention of delays or cancellations caused because a current type blanket is damaged and must be replaced by blanket in conformance with the proposed certification standards but for whatever reason, is not available. Similarly the cost benefit analysis makes no mention of benefits of installing one or several new blankets when the remaining (90-99%) blankets are of current design. There is no benefit. It is difficult to imagine that the retrofit proposal will not occur without some disruption of schedules. Therefore if a retrofit rule is adopted, the rule should include some provision that allows operators to install a current blanket to avoid an operational delay or cancellation until a new blanket can be obtained. Alternatively we suggest that repair criteria for current blanket types be developed that would provide "equivalent" fire burn-through criteria without the necessity of "blanket replacement". It would certainly be a much more cost effective approach than a "blanket" retrofit rule.

Your consideration of the comments and requests of RAA and its member's, is appreciated.

Sincerely,

David Lotterer
Vice President - Technical Services

Attachment



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Attachment A- RAA Member Airlines

Company	City, State
Aeromar *	Mexico City, DF
Air Midwest	Wichita, KS
AirNet Systems	Columbus, OH
Air Nova *	Enfield, Nova Scotia, Canada
Air Ontario*	London, Ontario
Air Serv	Redlands, CA
Air Wisconsin	Appleton, Wis
Allegheny	Middletown, PA
American Eagle	Dallas, TX
Atlantic Coast Airlines	Dulles, VA
Atlantic Coast Jet	Dulles, VA
Atlantic Southeast	Atlanta, GA
Big Sky Airlines	Billings, MT
Cape Air	Hyannis, MA
CCAIR	Charlotte, NC
Champlain Air	Plattsburgh, NY
Chautauqua Airlines	Indianapolis, IN
Chicago Express	Chicago, Il.
Colgan Air	Manassas, VA
Comair	Cincinnati, OH
CommutAir	Plattsburgh, NY
Continental Express	Houston, TX
Corporate Air	Billings, Montana
Corporate Express	Nashville, TN
Eagle Aviation	Las Vegas, NV
Empire Airlines	Coeur d'Alene, ID
ERA Aviation	Anchorage, AS
Executive Airlines Inc.	San Juan, P.R.
Executive Airlines	Farmingdale, NY
Express Airlines I	Memphis, TN
Falcon Express	Tulsa, OK
Federal Express	Memphis, TN
First Air	Dallas, TX
Grand Canyon	Grand Canyon, AZ
Great Lakes Aviation	Bloomington, MN
Gulfstream Int'l	Miami Springs, FL
Horizon Air	Seattle, WA
Island Air	Honolulu, HI
Mesaba	Minneapolis, MN
Midway Airlines	RDU Int'l Airport, NC
North-South Airways	Atlanta, GA
Ozark Airlines	Columbia, MO
Pan Pacific	Mount Vernon, WA



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Piedmont Airlines	Salisbury, MD
PSA Airlines	Vandalia, OH
Scenic Airlines	N. Las Vegas, NV
Seaborne Aviation	Christiansted, USVI
Servicios Aereos Litoral*	San Antonio, TX
Sedona (Aaron)	Seattle, WA
Shuttle America	Windsor Locks, CT
Skymark	Spokane, WA
Skyway Airlines	Oak Creek WI
Skywest	St. George, UT
Sunworld Int'l Airlines	Ft. Mitchell, KY
Tie Aviation	Jamaica, NY
Trans States	St. Louis, MO
Universal Airways	Houston, TX
Walker's Int'l	Ft. Lauderdale, FL

* RAA International Members